

Regular Session, 2012

SENATE BILL NO. 728

BY SENATOR CLAITOR

BESE. Requires BESE to consider and provide funding for the individual needs of each student with special needs in the MFP. (gov sig).

AN ACT

To enact R.S. 17:7(2)(g), relative to the minimum foundation program and formula; to provide with respect to the inclusion and funding of certain special education students in such formula; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:7(2)(g) is hereby enacted to read as follows:

§7. Duties, functions, and responsibilities of board

In addition to the authorities granted by R.S. 17:6 and any powers, duties, and responsibilities vested by any other applicable laws, the board shall:

* * *

(2)

* * *

(g) In fulfilling its responsibilities to provide a free and appropriate education to students with exceptional needs and to create additional educational options for such students, beginning with the 2012-2013 school year and thereafter, the State Board of Elementary and Secondary Education shall consider all of the strengths and needs of special education students, other than

1 **gifted and talented students, and include the cost of providing the specifically**
2 **designed instruction and support necessary to enable such students to reach**
3 **their highest academic potential when developing and adopting the minimum**
4 **foundation program and formula.**

5 Section 2. This Act shall become effective upon signature by the governor or, if not
6 signed by the governor, upon expiration of the time for bills to become law without signature
7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
9 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Jeanne C. Johnston.

DIGEST

Present law and Article VIII, Section 13(B) of the La. Constitution require BESE to annually develop and adopt a formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools and to equitably allocate the funds to parish and city school systems.

Proposed law requires BESE, in fulfilling its responsibilities to provide a free and appropriate education to students with exceptional needs and to create additional educational options for such students, to consider all of the strengths and needs of special education students, other than gifted and talented students, and include the cost of providing the specifically designed instruction and support necessary to enable such students to reach their highest academic potential when developing and adopting the minimum foundation program and formula. Provides that proposed law will be applicable beginning with the 2012-2013 school year.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 17:7(2)(g))